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FM AMEMBASSY KHARTOUM  
TO RUEHC/SECSTATE WASHDC PRIORITY 2055  
INFO RUCNFUR/DARFUR COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KHARTOUM 000755

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DEPT FOR AF/SPG, DRL

E.O. 12958: DECL: 03/26/2016

TAGS: PGOV KWMN PHUM SU

SUBJECT: CHARGE TRAVELS TO SOUTH DARFUR TO DISCUSS VIOLENCE AGAINST WOMEN

REF: KHARTOUM 669

Classified By: Charge a.i. Andrew Steinfeld, Reason: Section 1.4 (b) and (d)

¶1. (C) Summary: On March 19-20, Charge Steinfeld and Poloffs traveled to Nyala to urge the local government to implement the Plan of Action to combat violence against women. The government representatives recognized the importance of combating it, but lamented that a lack of resources hampered their efforts to implement it fully. In meetings with government officials, the Charge highlighted several low-cost steps that could be implemented immediately and underscored the government's responsibility to fund and implement the Plan of Action (reftel). While the government officials reconfirmed their efforts to combat violence against women, the reality on the ground does not attest to any significant energy on their part. (UN and NGO views reported septel.)  
End Summary.

Deputy Wali: Scarcity of Resources Hinder Response

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¶2. (SBU) In a March 19 meeting with the Deputy Wali of South Darfur, Dr. Farah Mustafa, the Charge emphasized the need for more action to combat violence against women, especially in Menawashi town, which has a high prevalence of GBV. Violence against women is an issue of vital importance to President Bush and Secretary Rice, he said, and there is a general sense among observers that rape is used as a tool of war to intimidate the population. Moreover, people who engage in GBV need to be brought to justice, including those in uniform, the Charge added. He raised the December 23 GBV case in Kass town as a good opportunity for the government to demonstrate its seriousness to combat violence against women.

¶3. (SBU) The Deputy Wali thanked the U.S. for assisting in alleviating the crisis in Darfur. He then responded that the South Darfur State government is keen to tackle the issue of violence against women, which he said, was evident by the creation of the South Darfur Committee to Combat GBV. The Deputy Wali proposed creating a working group in each South Darfur locality, hiring more female police officers from Khartoum, hiring full-time personnel for the Committee, and providing vehicles and other resources for the State Committee to function effectively. However, he added, resources were scarce in South Darfur due to the conflict. The Charge replied that the sums required were not large, and that it would be an excellent sign of the government's commitment to find the funding from its own resources. Sudan was booming economically, and the international community's resources were stretched to the limit.

¶4. (SBU) The Charge also raised his concerns over the recent fuel embargo to the Kalma IDP camp. The Deputy Wali assured the Charge that the problem had been resolved and that if any

NGO experienced problems with importing fuel, the NGO should contact him directly. On March 21, the Charge attempted to contact the Deputy Wali about new reports that fuel was blocked from entering Kalma Camp; unfortunately, after making initial contact, the Deputy Wali turned off his mobile phone.

(On March 20, the meeting between the Charge and the Deputy Wali was reported in a Khartoum daily in an article entitled, "Deputy American CDA Calls for Halt of Violence Against Women.")

¶15. (C) Bio Note: Dr. Farah is a Fur, and considered young for his position. The NCP reportedly was impressed with his intelligence while he was in university studies, and he was groomed for his current position. He is also the Minister of Humanitarian Affairs in South Darfur State, and his brother is the Minister of the Humanitarian Aid Commission (HAC) in South Darfur. End Comment.

Minister of Health: Head of Sub Committee

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¶16. (SBU) The Charge emphasized to the South Darfur State Minister of Health, Dr. Abdel Latif Sharif, the need for health clinics to comply with Amended Circular 2. The Minister took a tough stance on those who did not comply with this regulation, which states that victims did not need to provide a form from the police in order to receive medical treatment. He noted that he had not received any information on clinics not complying with the revised Form 8 requirement since he arrived two months ago. Furthermore, he stated that if there were incidents of non-compliance, the health practitioners involved would be replaced immediately. He added that the Committee had submitted a budget proposal to the UN to provide funding for the Plan of Action, the State

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Committee was preparing to visit Menawashi town, and the State Committee had issued orders for each locality to create sub-committees on GBV. In terms of funding, he said, the Wali had paid half of the operating costs for the State Committee and would pay the other half at a later date.

Prosecutor General: Not Sure How to Prove Rape

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¶17. (C) The Charge also met with Ahmed Ali Ahmed, Prosecutor General for South Darfur State, and stressed the need for victims to receive justice. Ahmed said that between February and December 2005, there were ten suspects taken to the courts for GBV. The Charge raised the December 23 case in Kass, in which the military refused to surrender the perpetrator despite the judge's orders. Ahmed replied that he was not directly responsible for that specific case. Ahmed explained that in South Darfur State there are ten prosecutors; nine in Nyala, and one in Ed Daein; however, due to logistical difficulties, the nine prosecutors could not be deployed to the other localities. Ahmed said that a major problem facing police cases is that the victims do not follow up on the cases. Poloff questioned the four witness requirement to prove "rape" instead of the lesser crime of "gross indecency." The Prosecutor General said that there were two methods to prove rape according to strict Sharia law; either the victim provides four witnesses or the accused confesses. When Poloff pursued the issue, the Prosecutor changed the rape requirements, saying that, "any reasonable evidence will suffice to prove rape, four witnesses is not a requirement."

Police Commissioner: Medical Evidence is the Most Important

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¶18. (C) The newly appointed Police Commissioner opened the meeting by saying that the situation was improving; there were a small number of rapes, the GNU was securing the borders of the IDP camps, and there was good cooperation between the GNU and the AU for firewood patrols.

Additionally, the police force is working with the International Rescue Committee (IRC) to prepare a police training course on Form 8. Poloff inquired about the methods of police investigations of rape. According to the Police Commissioner, the survivor is first taken to a government physician, who would determine whether there were any symptoms of rape, violence, or sexual intercourse. After the medical exam, the police would visit the scene of the crime and search for evidence, and then the victim and witnesses would be questioned. The most important step was medical evidence from a government hospital, the Police Commissioner said. (Comment: Any private clinic which is accredited by the Ministry of Health to complete Form 8 can complete the form, which must be accepted by the police. End Comment.)

Comment

¶9. (C) The local government officials seem to believe that funding and logistics are the problem, while the real problem is a lack of political will and a certain lack of willingness to take GBV with the seriousness it merits. The Wali created the State Committee in a public relations effort to respond to international outrage over violence against women. Taking this into account, the international community should use the Committee to its advantage and continue to push for the implementation of the Plan of Action, which was the purpose of the Charge's visit. Furthermore, government officials must recognize that it is their responsibility to provide program funding; not the UN or donors.

STEINFELD